

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregory M. Fehn

Serial No: 08/917,044

Filed: August 19, 1997

For: CONTAINER WITH RECYCLED
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) Office of Petitions
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Special Projects Examiner
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Brian Hearn
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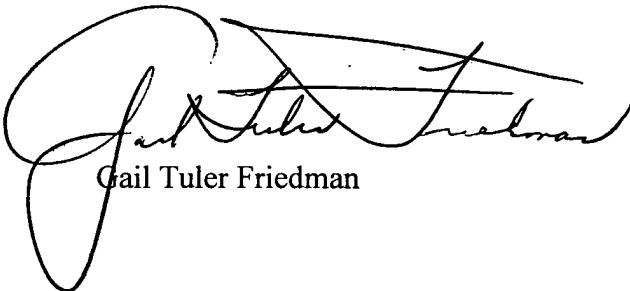
**SECOND DECLARATION OF
GAIL TULER FRIEDMAN**

Gail Tuler Friedman declares as follows:

1. She is a law partner in the firm of Friedman & Friedman, Ltd.
2. Her sole partner in the firm is Eugene F. Friedman ("Mr. Friedman").
3. She executed the **DECLARATION OF GAIL TULER FRIEDMAN** on February 10, 2000, attached as part of the **PETITION TO REVIVE UNDER 37 C.F.R. 1.137(a)**. The statements she made there are true and correct to the best of her knowledge, information, and belief.
4. On numerous occasions between the dates of October 26, 1999, and January 7, 2000, she observed the penciled reminder of the issue fee due date and the actual issue fee due date in red pen in the office calendar referred to in paragraph 4 of her **DECLARATION OF GAIL TULER FRIEDMAN** and attached as Exhibits C and D to the **PETITION TO REVIVE UNDER 37 C.F.R. 1.137(a)**. On each occasion, she knew that she had given the documents and drawing to Mr. Friedman to review and sign. Further, on each such occasion that she observed the two dates in the office calendar, she believed that she had received back from Mr. Friedman the signed papers and drawings and had sent the issue fee payment with the documents and drawings to the Patent and Trademark Office. In particular, she believed on each such occasion that the issue fee, documents, and drawings had been timely placed with the U.S. Postal Service and that, at each location where appropriate, Mr. Friedman has signed a certificate of mailing indicating a mailing date well before January 7, 2000.

5. She did not have the practice, prior to January 7, 2000, of striking out items in the office calendar that had been completed. However, if she had had the practice, then she would have stricken the item relating to the issue fee and drawings in this application on any and each of the occasions between the dates of October 26, 1999, and January 7, 2000, when she observed the penciled reminder of the issue fee due date and the actual issue fee due date in red pen in the office calendar. She would have done this because of her strong belief that she had mailed the issue fee, documents, and drawings to the Patent and Trademark Office on October 26, 1999.

The undersigned declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.



Gail Tuler Friedman

Dated: August 7, 2000